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8 BEFORE THE INSURANCE COMMISSIONER
9 OF THE STATE OF WASHINGTON

10 In the Matter of the Application regarding
11 the Conversion and Acquisition of Control
of Premera Blue Cross and its Affiliates,

Docket No. G02-45
MOTION FOR
RECONSIDERATION

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13 **I. RELIEF REQUESTED**

14 The Intervenor Groups seek the Commissioner's review of two of the deadlines
15 contained in the Commissioner's Thirteenth Order dated September 18, 2003. The Interveners
16 make this request because the deadlines imposed by the Thirteenth Order negatively impact on
17 their ability to participate fully and meaningfully in this proceeding.

- 18 • **The Deadline for Premera and Interveners to submit Final Expert
19 Reports Should be Extended by Seven Days.**

20 The Interveners request that the deadline for Premera and the Intervener to
21 submit final expert reports be moved from November 10, 2003 to November 17, 2003. The
22 reason for this request is that the Interveners will not receive the OIC Consultants' final reports
23 until October 27, 2003. This does not provide adequate time for the the Interveners' experts to
24 review the Consultants' reports, and modify its own report if necessary, by the shortened
25 deadline contained in the Thirteenth Order.
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1 The Interveners' expert report is essential to the Interveners' position and is
2 critical to the Commissioner's review of the proposed conversion. A one week extension means
3 the difference between the Interveners being able to provide the information necessary to
4 support their position to the Commissioner and not being able to do so. Any shorter timeframe
5 essentially deprives the Interveners of being able to provide to the Commissioner a complete,
6 comprehensive expert report on their concerns regarding the proposed conversion. This one
7 week extension does not impact on any of the other deadlines set forth in the Thirteenth Order;
8 nor does it negatively impact Premera's or the OIC Staff's ability to review the Interveners'
9 expert report before deposing the experts.

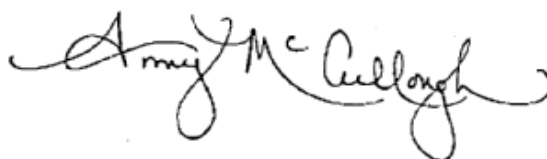
10 • **The Deadline for Discovery Cut-Off Should be Extended by Seven Days**

11 The Interveners request that the discovery cut-off deadline be moved from
12 December 5, 2003 to December 12, 2003. Because the discovery rules provide that a party has
13 30 days to respond to a request for discovery, a discovery cut-off of December 5, 2003 will
14 preclude the parties from being able to take additional necessary discovery after the OIC
15 consultants' final reports are published (November 10, 2003). The Interveners likely will need to
16 take additional discovery and should not be prohibited from doing so by the truncated times set
17 forth in the Thirteenth Order.

18 As with the extension of the deadline for submission of final expert reports, the
19 proposed extension of time for discovery cut-off will not impose any hardship on the other
20 parties nor will it impact the Commissioner's time within which to make a final decision on the
21 proposed conversion. Accordingly, the Interveners request that the Commissioner modify the
22 existing scheduling order to reflect the above requested changes.

1 Dated this 22nd day of September, 2003.

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3 Respectfully submitted by:

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8 Amy McCullough, Alaska Bar Rule 43 Waiver
9 James J. Davis, Alaska Bar #9412140
10 Alaska Legal Services Corporation
11 Attorneys for James Garner,
12 and Anchorage Neighborhood Health Center
13 On behalf of Intervener Groups
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